

erenced in the Agreement, the provisions of this title which apply to the Panel shall thereafter apply to the Yukon River Salmon Commission, and the other provisions of this title shall remain in effect.

SEC. 709. ADMINISTRATIVE MATTERS.

(a) Panel members and alternate Panel members who are not State or Federal employees shall receive compensation at the daily rate of GS-15 of the General Schedule when engaged in the actual performance of duties.

(b) Travel and other necessary expenses shall be paid for all Panel members, alternate Panel members, United States members of the Joint Technical Committee, and members of the Advisory Committee when engaged in the actual performance of duties.

(c) Except for officials of the United States Government, individuals described in subsection (b) shall not be considered to be Federal employees while engaged in the actual performance of duties, except for the purposes of injury compensation or tort claims liability as provided in chapter 81 of title 5, United States Code, and chapter 71 of title 28, United States Code.

SEC. 710. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated \$4,000,000 for each fiscal year for carrying out the purposes and provisions of the Agreement and this title including—

(1) necessary travel expenses of Panel members, alternate Panel members, United States members of the Joint Technical Committee, and members of the Advisory Committee in accordance with Federal Travel Regulations and sections 5701, 5702, 5704 through 5708, and 5731 of title 5, United States Code;

(2) the United States share of the joint expenses of the Panel and the Joint Technical Committee: *Provided*, That Panel members and alternate Panel members shall not, with respect to commitments concerning the United States share of the joint expenses, be subject to section 262(b) of title 22, United States Code, insofar as it limits the authority of United States representatives to international organizations with respect to such commitments;

(3) not more than \$3,000,000 for each fiscal year to the Department of the Interior and to the Department of Commerce for survey, restoration, and enhancement activities related to Yukon River salmon; and

(4) \$400,000 in each of fiscal years 1996, 1997, 1998, and 1999 to be contributed to the Yukon River Restoration and Enhancement Fund and used in accordance with the Agreement.

TITLE VIII—MISCELLANEOUS

SEC. 801. SOUTH PACIFIC TUNA AMENDMENT.

Section 9 of the South Pacific Tuna Act of 1988 (16 U.S.C. 973g) is amended by adding at the end thereof the following:

“(h) Notwithstanding the requirements of—

“(1) section 1 of the Act of August 26, 1983 (97 Stat. 587; 46 U.S.C. 12108);

“(2) the general permit issued on December 1, 1980, to the American Tunaboat Association under section 104(h)(1) of the Marine Mammal Protection Act (16 U.S.C. 1374(h)(1)); and

“(3) sections 104(h)(2) and 306(a) of the Marine Mammal Protection Act (16 U.S.C. 1374(h)(2) and 1416(a))—

any vessel documented under the laws of the United States as of the date of enactment of the Fisheries Act of 1995 for which a license has been issued under subsection (a) may fish for tuna in the Treaty Area, including those waters subject to the jurisdiction of the United States in accordance with international law, subject to the provisions of the treaty and this Act, provided that no such vessel fishing in the Treaty Area inten-

tionally deploys a purse seine net to encircle any dolphin or other marine mammal in the course of fishing under the provisions of the Treaty or this Act.”.

SEC. 802. FOREIGN FISHING FOR ATLANTIC HERRING AND ATLANTIC MACKEREL.

Notwithstanding any other provision of law—

(1) no allocation may be made to any foreign nation or vessel under section 201 of the Magnuson Fishery Conservation and Management Act (16 U.S.C. 1801 et seq.) in any fishery for which there is not a fishery management plan implemented in accordance with that Act; and

(2) the Secretary of Commerce may not approve the portion of any permit application submitted under section 204(b) of the Act which proposes fishing by a foreign vessel for Atlantic mackerel or Atlantic herring unless—

(A) the appropriate regional fishery management council recommends under section 204(b)(5) of that Act that the Secretary approve such fishing; and

(B) the Secretary of Commerce includes in the permit any conditions or restrictions recommended by the appropriate regional fishery management council with respect to such fishing.

The SPEAKER pro tempore, Mr. FOLEY, recognized Mr. YOUNG of Alaska and Mr. STUDDS, each for 20 minutes.

After debate,

The question being put, *viva voce*,

Will the House suspend the rules and agree to said amendment?

The SPEAKER pro tempore, Mr. FOLEY, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said amendment was agreed to.

A motion to reconsider the vote whereby the rules were suspended and said amendment was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶133.14 JERUSALEM EMBASSY RELOCATION

Mr. GILMAN moved to suspend the rules and pass the bill of the Senate (S. 1322) to provide for the relocation of the United States Embassy in Israel to Jerusalem, and for other purposes.

The SPEAKER pro tempore, Mr. FOLEY, recognized Mr. GILMAN and Mr. HAMILTON, each for 20 minutes.

After debate,

The question being put, *viva voce*,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. FOLEY, announced that two-thirds of the Members present had voted in the affirmative.

Mr. GILMAN demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. FOLEY, pursuant to clause 5, rule I, announced that further proceedings on the motion were postponed.

¶133.15 WAIVING POINTS OF ORDER

AGAINST CONFERENCE REPORT ON H.R. 2002

Mrs. WALDHOLTZ, by direction of the Committee on Rules, reported (Rept. No. 104-289) the resolution (H. Res. 241) waiving certain points of order during consideration of the conference report on the bill (H.R. 2002) making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 1996, and for other purposes.

When said resolution and report were referred to the House Calendar and ordered printed.

¶133.16 NOTICE REQUIREMENT— CONSIDERATION OF RESOLUTION— QUESTION OF PRIVILEGES

Ms. SLAUGHTER, pursuant to clause 2(a)(1) of rule IX, announced her intention to call up the following resolution, as a question of the privileges of the House:

To direct the Speaker to provide an appropriate remedy in response to the use of a forged document at a subcommittee hearing.

Whereas, on September 28, 1995, the Subcommittee on National Economic Growth, Natural Resources and Regulatory Affairs of the Committee on Government Reform and Oversight held a hearing on political advocacy of Federal grantees;

Whereas, the president of the Alliance for Justice, a national association of public interest and civil rights organizations testified at that hearing;

Whereas, a document was placed upon the press table for distribution at the hearing which contained the letterhead, including the name, address, phone number, fax number, and E-mail address of the Alliance for Justice, and the names of certain member organizations and the dollar amounts of Federal grants they received;

Whereas, in her opening statement at the hearing, the president of the Alliance for Justice identified the document as being forged and contained errors and requested an explanation from the chairman of the subcommittee as to the source of the document;

Whereas, in response, the chairman acknowledged that the document was created by the subcommittee staff;

Whereas, House Information Resources, at the request of the subcommittee staff, prepared the forged document;

Whereas, the document was prepared using official funds;

Whereas, the chairman of the subcommittee acknowledged in a letter, dated September 28, 1995, to the president of the Alliance for Justice that “the graphics, unfortunately, appeared to simulate the Alliance’s letterhead”;

Whereas, the September 29, 1995, issue of the National Journal’s Congress Daily reported that Representative McIntosh’s communications director said that “the letterhead was taken from a faxed document, scanned into their computer system and altered”; and

Whereas, questions continue to arise regarding the responsibility for preparation of the forged document: the chairman of the subcommittee stated during the hearing that he had no prior knowledge of the document’s preparation; the chairman later stated that the subcommittee staff prepared the document; and other published reports suggested that Chairman McIntosh’s personal office prepared the document;

Whereas, on September 27, 1995, the Speaker expressed concern over the distribution of

unattributed documents and announced a policy requiring that materials disseminated on the floor of the House must bear the name of the Member authorizing their distribution;

Whereas, Members and staff of the House have an obligation to ensure the proper use of documents and other materials and exhibits prepared for use at committee and subcommittee hearings and which are made available to Members, the public or the press, and to ensure that the source of such documents or other materials is not misrepresented;

Whereas, committees and subcommittees should not create documents for use in their proceedings that may give the impression that such documents were created by other persons or organizations, as occurred at the September 28, 1995, hearing of the Subcommittee on National Economic Growth, Natural Resources, and Regulatory Affairs;

Whereas, the dissemination of a forged document distorts the public record and affects the ability of the House of Representatives, its committees, and Members to perform their legislative functions, and constitutes a violation of the integrity of committee proceedings which form a core of the legislative process: Now, therefore, be it

Resolved, that the Speaker shall take such action as may be necessary to provide an appropriate remedy to ensure that the integrity of the legislative process is protected, and shall report his actions and recommendations to the House.

The SPEAKER pro tempore, Mr. FOLEY, responded to the foregoing notice, and said:

"Under rule IX, a resolution offered from the floor by a Member other than the majority leader or the minority leader as a question of the privileges of the House has immediate precedence only at a time or place designated by the Speaker in the legislative schedule within two legislative days of its being properly noticed. The Chair will announce the Speaker's designation tomorrow. In the meantime, the form of the resolution proffered by the gentleman from New York [Ms. Slaughter] will appear in the Record at this point.

"The Chair is not at this point making a determination as to whether the resolution constitutes a question of privilege. That determination will be made at the time designated by the Speaker for consideration of the resolution."

¶133.17 FEDERAL SECURITIES LITIGATION REFORM

On motion of Mr. BLILEY, by unanimous consent, the bill (H.R. 1058) to reform Federal securities litigation, and for other purposes; together with the amendments of the Senate thereto, was taken from the Speaker's table.

When on motion of Mr. BLILEY, it was,

Resolved, That the House disagree to the amendments of the Senate and ask a conference with the Senate on the disagreeing votes of the two Houses thereon.

Thereupon, the SPEAKER pro tempore, Mr. FOLEY, by unanimous consent, announced the appointment of the following Members as managers on the part of the House at said conference:

From the Committee on Commerce, for consideration of the House bill, and

the Senate amendment, and modifications committed to conference:

Messrs. BLILEY, TAUZIN, FIELDS of Texas, COX of California, WHITE, DINGELL, MARKEY, BRYANT of Texas, and Ms. ESHOO.

As additional conferees from the Committee on the Judiciary, for consideration of the House bill, and the Senate amendment, and modifications committed to conference:

Messrs. HYDE, MCCOLLUM, and CONYERS.

Ordered, That the Clerk notify the Senate thereof.

¶133.18 UNFINISHED BUSINESS— APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. FOLEY, pursuant to clause 5, rule I, announced the unfinished business to be the question on agreeing to the Chair's approval of the Journal of Friday, October 20, 1995.

The question being put, *viva voce*, Will the House agree to the Chair's approval of said Journal?

The SPEAKER pro tempore, Mr. GUTKNECHT, announced that the yeas had it.

Mr. HOBSON objected to the vote on the ground that a quorum was not present and not voting.

A quorum not being present, The roll was called under clause 4, rule XV, and the call was taken by electronic device.

When there appeared	Yeas	363
	Nays	48
	Answered present	1

¶133.19 [Roll No. 732] YEAS—363

Ackerman
Allard
Andrews
Archer
Armey
Bachus
Baesler
Baker (CA)
Baker (LA)
Baldacci
Baltenger
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Bateman
Beilenson
Bentsen
Bereuter
Berman
Bevill
Bilbray
Bilirakis
Bishop
Bliley
Blute
Boehlert
Boehner
Bonilla
Bonior
Bono
Boucher
Brewster
Browder
Brown (FL)
Brownback
Bryant (TN)
Bryant (TX)
Bunn
Bunning
Burr

Burton
Buyer
Callahan
Calvert
Camp
Canady
Cardin
Castle
Chabot
Chambliss
Chenoweth
Ehlers
Christensen
Chrysler
Clayton
Clement
Clinger
Coble
Coleman
Collins (GA)
Collins (IL)
Collins (MI)
Combest
Condit
Cooley
Costello
Cox
Coyne
Cramer
Crapo
Creameans
Cubin
Cunningham
Danner
Davis
de la Garza
Deal
DeLauro
DeLay
Dellums
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell

Dixon
Doggett
Dooley
Doolittle
Dornan
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
English
Eshoo
Ewing
Farr
Fattah
Fawell
Fields (TX)
Flake
Flanagan
Foglietta
Foley
Forbes
Ford
Fowler
Fox
Frank (MA)
Franks (CT)
Franks (NJ)
Frelinghuysen
Frisa
Frost
Funderburk
Furse
Gallegly
Ganske
Gejdenson
Gekas
Geren
Gilchrest
Gillmor
Gilman

Gonzalez
Goodlatte
Goodling
Gordon
Goss
Graham
Green
Greenwood
Gunderson
Gutierrez
Hall (OH)
Hall (TX)
Hamilton
Hancock
Hansen
Hastert
Hastings (WA)
Hayes
Hayworth
Hefner
Herger
Hilleary
Hilliard
Hinchey
Hobson
Hoekstra
Hoke
Holden
Horn
Hostettler
Houghton
Hoyer
Hunter
Hutchinson
Hyde
Inglis
Istook
Jackson-Lee
Jefferson
Johnson (CT)
Johnson (SD)
Johnson, Sam
Johnston
Jones
Kanjorski
Kaptur
Kasich
Kelly
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kim
King
Kingston
Klecza
Klink
Klug
Knollenberg
Kolbe
LaHood
Lantos
Largent
Latham
LaTourette
Laughlin
Lazio
Leach
Lewis (CA)
Lewis (KY)
Lightfoot
Lincoln
Linder
Lipinski
Livingston
LoBiondo
Lofgren

Lowey
Lucas
Luther
Maloney
Manton
Manzullo
Markey
Martini
Mascara
Matsui
McCarthy
McCollum
McCrery
McDade
McDermott
McHale
McHugh
McInnis
McIntosh
McKinney
Meehan
Meek
Menendez
Metcalfe
Meyers
Mfume
Mica
Miller (CA)
Miller (FL)
Minge
Mink
Molinari
Montgomery
Moorhead
Moran
Morella
Murtha
Myers
Myrick
Nadler
Nethercutt
Neumann
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Owens
Oxley
Packard
Pallone
Parker
Pastor
Paxon
Payne (NJ)
Payne (VA)
Pelosi
Peterson (FL)
Peterson (MN)
Petri
Pomeroy
Porter
Portman
Poshard
Pryce
Quillen
Quinn
Radanovich
Rahall
Ramstad
Reed
Regula
Richardson
Riggs
Rivers
Roberts

NAYS—48

Gibbons
Gutknecht
Hastings (FL)
Scott
Heffley
Heineman
Jacobs
Johnson, E. B.
LaFalce
Levin
Lewis (GA)
Longley
McNulty
Neal
Ney
Orton
Pickett

Roemer
Rogers
Rohrabacher
Ros-Lehtinen
Rose
Roth
Roukema
Roybal-Allard
Royce
Sabo
Salmon
Sanders
Sawyer
Saxton
Schaefer
Schiff
Schumer
Seastrand
Sensenbrenner
Shadeegg
Shaw
Shays
Shuster
Skaggs
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Solomon
Souder
Spence
Spratt
Stark
Stearns
Stenholm
Stokes
Studds
Stupak
Talent
Tanner
Tate
Tauzin
Tejeda
Thomas
Thornberry
Thornton
Tiahrt
Torres
Torricelli
Traficant
Upton
Waldholtz
Walker
Walsh
Wamp
Ward
Watt (NC)
Watts (OK)
Waxman
Weldon (FL)
Weller
White
Whitfield
Williams
Wilson
Wise
Woolsey
Wyden
Wynn
Yates
Young (AK)
Young (FL)
Zeliff
Zimmer